

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
BRUNSWICK DIVISION**

JOHN DOE,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 2:21-cv-71
	)	
MERRICK B. GARLAND, in his	)	
official capacity as the Attorney	)	
General for the DEPARTMENT OF	)	
JUSTICE, and MICHAEL	)	
CARVAJAL in his official capacity	)	
as the Director of the FEDERAL	)	
BUREAU OF PRISONS,	)	
	)	
Defendants.	)	

**DEFENDANTS' RESPONSE TO  
PLAINTIFF'S MOTION TO PROCEED UNDER A PSEUDONYM**

Plaintiff John Doe has moved this Court for permission to proceed under a pseudonym. Doc. 7. He also asks this Court to prospectively seal or redact personally identifying information. *Id.*

The majority of Plaintiff's motion concerns his desire to proceed under the pseudonym John Doe. Defendants take no position as to whether Plaintiff has made a showing sufficient to warrant permission to use a pseudonym.<sup>1</sup>

However, Defendants object to Plaintiff's request "to seal or redact personally identifying information filed in this matter." Doc. 4. Decisions on the propriety of sealing documents are best made by this Court on a case-by-case basis after having an opportunity to balance the factors required by appellate courts. *See Lee-Bolton v.*

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<sup>1</sup> Defendants are already aware of Plaintiff's true identity due to the EEO process.

*Koppers Inc.*, No. 1:10-cv-253, 2014 WL 12775191, at \*3 (N.D. Fla. Jan. 8, 2014) (rejecting a “blanket protective order” because a court cannot appropriately balance the required factors if all material is preemptively sealed). Local Rule 79.7 already provides for this procedure, and Defendants submit this is the most appropriate path for seeking leave to file material under seal. Further, Plaintiff’s request for an all-encompassing seal of any such material lacks support and is not further discussed in his Motion. Defendants also note that both parties are already bound to redact personally identifying information by Rule 5.2 of the Federal Rules of Civil Procedure. Thus, Defendants ask that the Court deny the request at this time.

For the reasons stated above, Defendants take no position on Plaintiff’s request for a pseudonym and also object to Plaintiff’s request for a prospective seal on material filed in this matter.

Dated: October 5, 2021,

Respectfully submitted,

DAVID H. ESTES  
ACTING UNITED STATES ATTORNEY

/s/ O. Woelke Leithart  
Idaho Bar No. 9257  
Assistant United States Attorney  
U.S. Attorney's Office  
Post Office Box 8970  
Savannah, Georgia 31412  
Telephone: (912) 652-4422  
E-mail: [Woelke.Leithart@usdoj.gov](mailto:Woelke.Leithart@usdoj.gov)